

# United States Senate

WASHINGTON, DC 20510

April 8, 2004

The Honorable Gale Norton  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Norton:

We are writing to express our concern with the Department of Interior's plan to review a proposed land withdrawal by the Department of Energy to study a rail corridor for transporting high-level nuclear waste to Yucca Mountain, Nevada.

On December 29, 2003, the Department of Interior published a notice in the Federal Register stating its intent to withdraw land around the rail route, known as the Caliente Corridor, for potentially transporting nuclear waste to the proposed repository at Yucca Mountain. The Department of Energy intends to restrict public access to a 319-mile stretch of land, 1 mile wide, for 20 years to study the feasibility of constructing a rail line through this corridor. After the DOI published its notice, the public was given only 90 days to comment on this proposal. Also, the BLM forbid new mining claims on the land for two years while the DOE conducts environmental studies.

Once again, the Departments of Interior and Energy appear to be disregarding concerns of Nevadans as they try to force this project forward. The public, including landowners along this corridor, was not consulted or even notified before this proposal was published in the Federal Register. Landowners who have spent several generations living here are understandably outraged at their exclusion from decisions the Energy and Interior Departments are making about their homes. In addition, the DOI would halt mineral exploration and grazing in the corridor, stifling the ongoing mineral exploration in the area and restricting access to grazing land that ranchers have used for generations. The 90-day comment period is not long enough for them to both familiarize themselves with the land withdrawal proposal and explain their concerns about it.

Although the DOE wants to withdraw a corridor a mile wide, the Department itself estimates that it would only use a space "a couple hundred feet" wide. The DOE has not explained why it needs a mile-wide corridor that would put additional constraints on local interests. As we have unfortunately seen in the DOE's treatment of its own workers who have contracted silicosis, the DOE has a long history of steamrolling Nevadans to push its agenda. The Department of Interior, which manages these lands, should not allow the DOE to steamroll Nevadans affected by this land withdrawal.

We urge you to extend the public comment period on this proposal by at least another 90 days, allowing local residents and businesses enough time to fully express their concerns. If you have any questions about our concerns, please contact us or have your staff contact our staffs.

We appreciate your consideration of our request and look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Reid".

HARRY REID  
United States Senator

A handwritten signature in black ink, appearing to read "John Ensign".

JOHN ENSIGN  
United States Senator